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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,889	02/07/2001	Joseph M. Cannon	Cannon 112-102	3320
24998	7590	12/16/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street, NW Washington, DC 20037			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/777,889	CANNON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Khai M Nguyen	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 07 February 2001.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1,2,5-14,19-22,28 and 29 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,2,5-14,19-22,28 and 29 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. This Office Action is response to Amendment filed on 07/15/2004  
Claims 1-2, 5-14, 19-22 and 28-29 are pending.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-2, 5-14, 19-22 and 28-29 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6, 9, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ciccone (U.S. Pat-6128504).

Regarding claim 6, Ciccone teaches a cordless telephone system comprising:  
a base station including first control circuitry for controlling operations at said base station (fig.2, element 110, col.4, lines 24-51); and

at least two cordless telephone handsets for communicating with said base station (fig.1, element 20, 30, 40, col.3, line 63 to col.4, line 5), each including second control circuitry for controlling operations at said handset (fig.2, element 210, col.6, lines 39-64);

said first and second control circuitry operating in response to initiation of an intercom communication at one of said base station and handset to place an active call at least one of said base station and handset on hold during said intercom communication (fig.2, element 110, 210, col.6, lines 24-64).

Regarding claim 9, Ciccone teaches a cordless telephone system comprising; a base station including first control circuitry for controlling operations at said base station (fig.2, element 110, col.4, lines 24-51); and at least a first and second cordless telephone handsets for communicating with said base station (fig.1, element 20, 30, 40, col.3, line 63 to col.4, line 5) including second and third control circuitry for controlling operations at said first and second handsets respectively (fig.2, element 210, col.6, lines 39-64); said first, second and third control circuitry operating in response to initiation of an intercom communication at said base station or one of said first and second handsets to place an active call on hold during said intercom communication (fig.2-4, element 110, 210, col.6, lines 24-64).

Regarding claim 12, Ciccone teaches a cordless telephone system comprising:

a base station including first control circuitry for controlling operations (fig.2, element 110, col.4, lines 24-51) at said base station and separate intercom buttons for each of a plurality of cordless telephone handsets said plurality of cordless telephone handsets (fig.1, element 10, 20, 30, 40, col.3, line 49 to col.4, line 6) comprising at least a first and second cordless telephone handsets for communicating with said base station including second and third control circuitry for controlling operations (fig.1, fig.11, element 210, col.9, lines 14-21) at said first and second handsets respectively and a separate intercom button for said base station and each other of said handsets (fig.1-3, fig.11, col.9, lines 14-21, col.9, line 60 to col.10, line 13) ;

    said first, second and third control circuitry operating in response to initiation of an intercom communication at one of said base station and said first and second handsets to place an active call on hold during said intercom communication (fig.1-2, element 110, 210, col.3, line 49 to col.4, line 5, col.6, lines 24-64).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukada et al. (U.S. Pat-4650931) in view of Ciccone (U.S. Pat-6128504).

Regarding claim 1, Tsukada teaches a method of answering an incoming call at a cordless telephone having a base unit and a of handsets (fig.1, element 1, 2, col.4, lines 27-53), each of said base unit and of handsets being at a different location (col.1, lines 23-48), the method comprising the steps of:

✓ initiating an intercom connection (fig.4), by an intercom initiating party to alert an intercom receiving party (fig.4, col.2, line 65 to col.3, line 35, col.13, lines 51-59);

automatically placing said incoming call in a hold status if either said intercom initiating party or said intercom receiving party is also said answering party (abstract, col.2, lines 47-53); and accepting said incoming call (col.2, lines 47-53), by said intercom receiving party (col.2, lines 47-53), by terminating the hold status (fig.3, col.5, line 66 to col.6, line 29).

Tsukada fails to specifically disclose a method of answering an incoming call at a cordless telephone having a base unit and a plurality of handsets, each of said base unit and plurality of handsets being at a different location, answering by a first party the incoming call at one of said base unit and said plurality of handsets. However, Ciccone teaches a method of answering an incoming call at a cordless telephone having a base unit and a plurality of handsets (fig.1, col.1, lines 38-63), each of said base unit and plurality of handsets being at a different location (fig.1, element 10, 20, 20, 40, col.3, lines 41-48), answering by a first party the incoming call at one of said base unit and said plurality of handsets (fig.1, col.3, line 49 to col.4, line 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to use a method of answering an incoming call at a cordless telephone having a base unit and a

plurality of handsets, each of said base unit and plurality of handsets being at a different location, answering by a first party the incoming call at one of said base unit and said plurality of handsets as taught by Ciccone with Tsukada teaching in order to provide a cordless telephone having a plurality of portable units arranged for communicating with a base unit in a frequency hopping system.

Regarding claim 2, Tsukada and Ciccone further teaches the method of claim 1, further comprising:

accepting said incoming call (see Ciccone, col.3, lines 49-62), by said answering party, by terminating the-hold status (col.5, line 66 to col.6, line 29).

Regarding claim 19, Tsukada and Ciccone further teaches a method as in claim 1, wherein said step of initiating an intercom connection comprises activating an intercom initiator (fig.11, col.9, lines 14-21).

Regarding claim 20, Tsukada and Ciccone further teaches a method as in claim 1, wherein said step of alerting a further comprises sending an intercom connection request signal (col.2, line 65 to col.3, line 34, see Ciccone col.9, lines 14-21).

Regarding claim 21, Tsukada and Ciccone further teaches a method as in claim 1, further comprising terminating said step of initiating by sending an end intercom signal (col.13, lines 11-31).

Regarding claim 22, Tsukada and Ciccone further teaches a method as in claim 21, wherein said step of sending an end intercom signal further comprises activating an intercom control (col.13, lines 11-31).

Claims 5, 7-8, 10-11, 13-14, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccone (U.S. Pat-6128504) in view of Tsukada et al. (U.S. Pat-4650931).

Regarding claim 5, Ciccone teaches a method of answering an incoming call at a cordless telephone with a base unit and at least a first handset and a second handset (fig.1, element 10, 20, 30, 40, col.3, lines 49-62), said base unit and said at least first and second handsets being at separate locations (fig.1, col.3, lines 49-62), the method comprising the steps of:

a first party answering the incoming call at a first handset of the cordless telephone (fig.1, col.3, lines 49-62);

the first party alerting a second party by initiating an intercom connection between said first handset and said second handset (fig.1, col.3, line 63 to col.4, line 5, col.9, lines 14, 20).

Ciccone fails to specifically disclose while the incoming call is automatically placed in a hold status, and the second party accepting the incoming call at the handset by terminating the hold status. However, Tsukada teaches while the incoming call is

automatically placed in a hold status (fig.3, abstract, col.5, line 66 to col.6, line 29) and the second party accepting the incoming call at the handset by terminating the hold status (col.8, lines 25-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to use while the incoming call is automatically placed in a hold status, and the second party accepting the incoming call at the handset by terminating the hold status as taught by Ciccone with Tsukada teaching in order to provide a cordless telephone in which either one of the handset and base units may receive an incoming telephone call which appears when the telephone is in the intercom mode.

Regarding claim 28, Ciccone and Tsukada further teaches a method as in claim 5, wherein said step of alerting a second party further comprises sending an intercom connection request signal from said first handset to at least said second handset (col.2, line 65 to col.3, line 34, see Ciccone col.9, lines 14-21).

Regarding claim 29, Ciccone and Tsukada further teaches a method as in claim 5, further comprising terminating said step of initiating an intercom connection between said first handset and said second handset by activating an intercom control on said first handset (col.2, line 65 to col.3, line 34, see Ciccone col.9, lines 14-21).

Regarding claim 7, Ciccone teaches the system as in claim 6,

Ciccone fails to specifically disclose the first control circuitry, causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets. However, Tsukada teaches the first control circuitry (fig.3, element 240) causes said active call to be placed on hold when said intercom communication is initiated during said active call (col.8, lines 51-61) and initiates said intercom communication between said base station and said handsets (fig.4, col.13, lines 51-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to use the first control circuitry causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets as taught by Ciccone with Tsukada teaching in order to provide a cordless telephone in which either one of the handset and base units may receive an incoming telephone call which appears when the telephone is in the intercom mode.

Regarding claim 8, Ciccone and Tsukada further teaches the system as in claim 7, wherein said first control circuitry causes said active call to be re-engaged when said base station or said handsets terminates said intercom communications (fig.3-4, col.8, lines 51-61, col.13, lines 51-59).

Regarding claim 10, Ciccone teaches the system as in claim 9,

Ciccone fails to specifically disclose the first control circuitry, causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets. However, Tsukada teaches the first control circuitry (fig.3, element 240) causes said active call to be placed on hold when said intercom communication is initiated during said active call (col.8, lines 51-61) and initiates said intercom communication between said base station and said handsets (fig.4, col.13, lines 51-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to use the first control circuitry causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets as taught by Ciccone with Tsukada teaching in order to provide a cordless telephone in which either one of the handset and base units may receive an incoming telephone call which appears when the telephone is in the intercom mode.

Regarding claim 11, Ciccone and Tsukada further teaches the system as in claim 10, wherein said first control circuitry causes said active call to be re-engaged when said base station or one of said at least a first and second handsets terminates said intercom communication (fig.3-4, col8, lines 51-61, col.13, lines 51-59).

Regarding claim 13, Ciccone teaches the system as in claim 12,

Ciccone fails to specifically disclose the first control circuitry, causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets. However, Tsukada teaches the first control circuitry (fig.3, element 240) causes said active call to be placed on hold when said intercom communication is initiated during said active call (col.8, lines 51-61) and initiates said intercom communication between said base station and said handsets (fig.4, col.13, lines 51-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to use the first control circuitry causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between said base station and said handsets as taught by Ciccone with Tsukada teaching in order to provide a cordless telephone in which either one of the handset and base units may receive an incoming telephone call which appears when the telephone is in the intercom mode.

Regarding claim 14, Ciccone and Tsukada further teaches the system as in claim 13, wherein said first control circuitry causes said active call to be re-engaged when said base station or one of said at least a first and second handsets terminates said intercom communications (fig.3-4, col.8, lines 51-61, col.13, lines 51-59).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M Nguyen whose telephone number is 703.305.9006. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 703.306.3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen  
Au: 2687

12/12/2004

  
12/13/04  
LESTER G. KINCAID  
PRIMARY EXAMINER